

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Raymond Edward Chestnut,)	Civil Action No.: 1:15-cv-02770-RBH
)	
Petitioner,)	
)	
v.)	ORDER
)	
Federal Bureau of Prisons,)	
)	
Respondent.)	
)	

Petitioner Raymond Edward Chestnut, a federal prisoner proceeding pro se, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. *See* ECF No. 1. Petitioner is currently incarcerated in the United States Penitentiary located in Lewisburg, Pennsylvania. *See* ECF No. 1-1 (Petitioner's envelope from USP-Lewisburg). The matter is now before the Court for review of the Report and Recommendation (R & R) of United States Magistrate Judge Shiva V. Hodges.¹ *See* R & R, ECF No. 8. The Magistrate Judge recommends the Court transfer Petitioner's § 2241 petition to the United States District Court for the Middle District of Pennsylvania for all further proceedings. R & R at 1, 4.

The Magistrate Judge makes only a recommendation to the Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). The Court must conduct a de novo review of those portions of the R & R to which specific objections are made, and it may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

¹ This matter was referred to the Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 73.02(B)(2)(c) for the District of South Carolina.

Neither party has filed objections to the R & R. In the absence of objections to the R & R, the Court is not required to give any explanation for adopting the Magistrate Judge's recommendations. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983). The Court reviews only for clear error in the absence of an objection. *See Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that "in the absence of a timely filed objection, a district court need not conduct de novo review, but instead must 'only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation'" (quoting Fed. R. Civ. P. 72 advisory committee's note)).

After a thorough review of the record in this case, the Court finds no clear error. Accordingly, the Court adopts and incorporates by reference the R & R [ECF No. 8] of the Magistrate Judge. **IT IS THEREFORE ORDERED** that Petitioner's § 2241 petition is **TRANSFERRED** to the United States District Court for the Middle District of Pennsylvania for all further proceedings.

IT IS SO ORDERED.

Florence, South Carolina
September 18, 2015

s/ R. Bryan Harwell
R. Bryan Harwell
United States District Judge